

### REMARKS

On page 2 of the Office Action mailed on December 31, 2009, the specification was objected to. The Examiner says that the reference numbers 1010 and 1011 appear to be incorrect because they refer to the same node in Figure 10. Applicant disagrees. These reference numbers are not actually referring to a node, per se. They are actually referring to two separate inputs. The fact that these two inputs are coupled to the same node does not preclude the use of two different reference numbers for the two different inputs. Applicant also disagrees that reference number 1002 on page 34, line 8, of the specification should be changed to 1021.

Claim 9 was also objected to because of informalities and is amended herewith as suggested by the Examiner.

Claims 9 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,477,481 ("Kerth"), and specifically by Figure 4A of Kerth. The Examiner asserts that the operation when the voltage at the top input terminal (where VINP is received) is transferred to the left plate of the top capacitor C1, i.e., when the top switch  $\Phi A$  closes, constitutes the "sampling a voltage present at input node" per claim 9. The Examiner further asserts that the resulting storage of charge on the top capacitor C1 in response to the top switch  $\Phi A$ , and the other  $\Phi A$  switch connected to the right plate of C1, closing constitutes the "holding the sampled voltage at a reference node as a reference voltage" per claim 9. Thus, the Examiner deems the "input node" of claim 9 to be the terminal receiving VINP, i.e., the left terminal of switch  $\Phi A$ . The Examiner further deems the "reference node" of claim 9 to be the node at the left side of C1. The Examiner goes on to allege that the operation when the  $\Phi A$  switches open and the  $\Phi B$  switches close constitutes the "measuring the input signal at the input node by sampling the input signal and comparing it to the reference voltage" per claim 9. Applicant strongly disagrees. First of all, when the  $\Phi A$  switch opens, the terminal receiving VINP (which the Examiner deems to be the input node per claim 9) is cut off from the rest of the circuit. Therefore, the opening of the  $\Phi A$  switch cannot constitute measuring the input signal (VINP) at the input node by sampling the input signal and comparing it to the reference voltage, per claim 9. Also, closing the  $\Phi B$  switch admits the signal that existed at the right side of capacitor C1 to the + terminal of the differential chopped amplifier 48, but in no conceivable way does that result

in a comparison of that signal to the VINP signal present at the input node. Even if the opening of the  $\Phi A$  switch did not cut off the input signal VINP from the rest of the circuit (it does), at best the result would be a serial provision of successive signals to the + terminal of the differential chopped amplifier 48, which obviously does not result in a comparison of such successive signals. Thus it is clear that Kerth fails to anticipate claim 9.

In view of the foregoing, Applicant respectfully requests allowance of claim 9 and claim 10 depending therefrom.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Respectfully submitted,

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